

*JPW*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of	:	<b>Confirmation No. 2538</b>
Cesare FUMO et al.	:	Attorney Docket No. 2004_0997A
Serial No. 10/500,298	:	Group Art Unit 1762
Filed January 31, 2005	:	Examiner William P. Fletcher
A METHOD OF FORMING A LAYERING OF ELECTRONICALLY-INTERACTIVE MATERIAL (AS AMENDED)		<b>MAIL STOP: AMENDMENT</b>



**RESPONSE TO NON-COMPLIANT AMENDMENT**

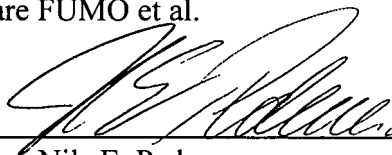
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the "Notice of Non-Compliant Amendment" dated August 7, 2007, submitted herewith is the Amendment and the substitute specification and abstract (marked-up and clean version) filed February 5, 2007, now correctly amending the title and subheading sections. Also enclosed is a copy of the Notice.

Respectfully submitted,

Cesare FUMO et al.

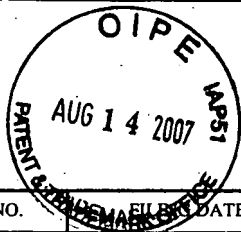
By:   
Nils E. Pedersen  
Registration No. 33,145  
Attorney for Applicants

THE COMMISSIONER IS AUTHORIZED  
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ACCOUNT NO. 23-0975

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August 14, 2007



# UNITED STATES PATENT AND TRADEMARK OFFICE



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/500,298

01/31/2005

Cesare Fumo

2004\_0997A

2538

513 7590 08/07/2007  
WENDEROTH, LIND & PONACK, L.L.P.  
2033 K STREET N. W.  
SUITE 800  
WASHINGTON, DC 20006-1021

EXAMINER
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FLETCHER III, WILLIAM P

ART UNIT	PAPER NUMBER
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1762

MAIL DATE	DELIVERY MODE
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08/07/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

RECEIVED  
AUG 08 2007

WENDEROTH, LIND & PONACK

**Notice of Non-Compliant  
Amendment (37 CFR 1.121)**

Application No.

10/500,298

Examiner

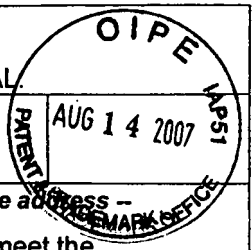
William P. Fletcher III

Applicant(s)

FUMO ET AL.

Art Unit

1762



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 09 May 2007 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

**THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:**

- ☒ 1. Amendments to the specification:
  - ☒ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☒ C. Other See Continuation Sheet.
- ☐ 2. Abstract:
  - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_.
- ☐ 3. Amendments to the drawings:
  - ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☐ C. Other \_\_\_\_\_.
- ☐ 4. Amendments to the claims:
  - ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☐ E. Other: \_\_\_\_\_.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):  
\_\_\_\_\_

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

**TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:**

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

**Failure to timely respond** to this notice will result in:

**Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

**Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

/William Phillip Fletcher III/

Legal Instruments Examiner (LIE), if applicable

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Telephone No.

Continuation of 1(c) Other: Double brackets [[]] may not be used to indicate the deletion of more than 5 characters (see p. 4, l. 4) of the substitute spec.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Cesare FUMO et al.

Serial No. 10/500,298

Filed January 31, 2005



: **Confirmation No. 2538**

: Attorney Docket No. 2004-0997A

: Group Art Unit 1762

: Examiner William P. Fletcher

SYSTEM TO FORM A LAYERING OF  
ELECTRONICALLY-INTERACTIVE  
MATERIAL

: **MAIL STOP: AMENDMENT**

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**AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action of October 4, 2006, the period for response to which having been extended by one month to February 4, 2007, kindly amend the above-referenced U.S. patent application as follows:

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEES FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975

**AMENDMENTS TO THE TITLE**

**Please amend the title as follows:**

A METHOD OF FORMING ~~SYSTEM TO FORM~~ A LAYERING OF ELECTRONICALLY-  
INTERACTIVE MATERIAL